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RUEHC/DEPT OF LABOR WASHINGTON DC  
RUEFHLC/HOMELAND SECURITY CENTER WASHINGTON DC  
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STATE FOR EUR/AGS, EUR/PGI, G/TIP, DRL/IL, INL/HSTC, AND PRM  
STATE - PLEASE PASS USAID  
JUSTICE FOR T. MARCH BELL  
LABOR FOR ILAB

E.O. 12958: N/A  
TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [KJUS](#) [SMIG](#) [ELAB](#) [PREL](#) [PGOV](#) [ASEC](#)  
PREF, GM  
SUBJECT: GERMANY - MFA RESPONSE TO 2007 TIP REPORT

REF: STATE 71163

11. (U) CONTAINS REQUEST FOR ACTION -- PLEASE SEE PARA 6.

12. (SBU) Emboffs delivered demarche contained in ref and passed an advance copy of the 2007 Trafficking in Persons (TIP) Report country narrative for Germany to Axel Kuechle, MFA Deputy Director for International Cooperation against Organized Crime, Narcotics, Corruption, and Human Trafficking, on June 11. Kuechle agreed with the report's overall positive assessment of Germany's steps to combat TIP and expressed appreciation for the report's recognition of German efforts during the June-July 2006 Soccer World Cup championship.

13. (SBU) Noting the report's recommendation that Germany explore ways to increase prison sentences for convicted traffickers, Kuechle said he had experienced similar frustration with German sentencing practices in organized crime and narcotics cases. German judges, Kuechle stated, tend towards leniency in cases involving first-time offenders, regardless of the charge. He also said prosecutors have a hard time making trafficking charges stick, due to the statute's requirement that prosecutors prove direct involvement in the coercion or exploitation of the victim. As a result, prosecutors generally bring trafficking charges against low-level "facilitators" and charge ringleaders with other crimes that carry similar sentences, but are easier to prove in court.

14. (SBU) Kuechle asked if the Embassy could provide more information about U.S. efforts to educate and sensitize judges in the United States on TIP. He also inquired whether the USG maintains statistics on cases where suspected traffickers have been convicted and sentenced on other charges and, if so, what methods the USG uses to do so. Referring to the October 2006 visit of U.S. Department of Justice TIP experts to Germany, Kuechle expressed interest in more bilateral exchanges at the expert level. He agreed more discussion of TIP between high-ranking German and U.S. officials would be helpful. Emboff noted Undersecretary Dobriansky and German Family Minister Ursula von der Leyen -- the Family Ministry has lead responsibility within the German Federal Government on TIP -- have agreed to discuss TIP on the margins of the June 14 Global Women's Summit in Berlin.

15. (U) Following the report's public release on June 12, post will reach out to key contacts in the Family Ministry,

Interior Ministry, and Justice Ministry to discuss German efforts and convey concerns raised in the report.

¶6. (U) ACTION REQUEST: Post requests G/TIP assistance in obtaining more information we can share with German partners about USG efforts to educate and sensitize judges in the United States and, if available, examples of training materials. In addition, post would appreciate the most recent U.S. TIP conviction and sentencing statistics, as well as information about how the USG tracks TIP-related convictions.

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